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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Richard Weber
Serial No. : 10/665,504
Filed : September 22, 2003
Title : COMMUNICATIONS DEVICE AND METHOD FOR USING THE
COMMUNICATIONS DEVICE TO COMMUNICATE A MESSAGE

Art Unit : 3611
Examiner : Gary Chapman Hoge

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF APRIL 26, 2005

Claims 1-57 are pending, with claims 1, 23, 35, 52, 55 and 56 being independent. Claims 23-57 have been withdrawn from consideration.

Applicant acknowledges with appreciation the Examiner's allowance of claims 9-12, 16, 21 and 22.

Claims 1-6, 14 and 15 have been rejected as being unpatentable over Lee (U.S. Patent No. 6,845,583) in view of McClain (U.S. Patent No. 4,795,195). Applicant requests reconsideration and withdrawal of this rejection because there would have been no motivation to combine Lee and McClain in the manner set forth in the rejection.

Lee is directed to an audio/visual greeting device that, as set forth in the rejection, does not include a multiple-page attachment affixed to a panel, as recited in claim 1. McClain is directed to a discount coupon booklet that includes a front cover having an inside to which a booklet of stamps is affixed.

Nothing in Lee or McClain would have motivated one of ordinary skill in the art to affix a booklet of stamps to the inside cover of Lee's device. While the rejection indicates that such motivation would have come from a desire to give the stamps as a gift, applicant could find no description of such gift giving of stamps in either Lee or McClain. Moreover, if one were desirous of giving a gift of stamps, nothing in Lee or McClain would have provided any motivation for securing those stamps to the interior of the device of Lee, rather than just placing them within the device of Lee.

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Attorney's Docket No.: 12177-004001

Claims 7 and 8 have been rejected as being unpatentable over Lee in view of McClain and Cangelli (GB 2116478). Applicant requests reconsideration and withdrawal of this rejection because Cangelli does not remedy the failure of Lee and McClain to describe or suggest the subject matter of claim 1.

Claim 13 has been rejected as being unpatentable over Lee in view of McClain and Pines (U.S. Patent 6,591,523). Applicant requests reconsideration and withdrawal of this rejection because Pines does not remedy the failure of Lee and McClain to describe or suggest the subject matter of claim 1.

Claims 17-20 have been rejected as being unpatentable over Lee in view of McClain and Phillips (U.S. Patent 5,829,790). Applicant requests reconsideration and withdrawal of this rejection because Phillips does not remedy the failure of Lee and McClain to describe or suggest the subject matter of claim 1.


Applicant submits that all claims are in condition for allowance.

Enclosed is a \$225 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

9/26/05



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